

Minutes
County Road Administration Board
 January 10-11, 2002
 CRAB Office – Olympia, Washington

Members Present: Grant County Commissioner Tim Shead, Chair
 Asotin County Commissioner Don Scheibe, Vice-Chair
 Ken Stone, Cowlitz County Engineer
 Randy Casteel, Kitsap County Engineer
 Walla Walla County Commissioner David Carey
 Garfield County Commissioner Dean Burton
 Robert Breshears, Lincoln County Engineer

Members Absent: Pierce County Council Member Harold Moss

Staff Present: Jay Weber, Executive Director
 Walt Olsen, Acting Deputy Director
 Steve Hillesland, Assistant Director
 Karen Pendleton, Executive Assistant
 Cheryl Heinemeyer, Secretary Admin.
 Chris Mudgett, Special Projects Manager
 Dave Whitcher, Management Systems Manager
 Randy Hart, Grant Programs Manager
 Larry Pearson, Maintenance Programs Manager**

Guests: Reid Wheeler, Consultant
 Denise Tabler, Office of Financial Management/SACS*

CALL TO ORDER

Chair Shead called the County Road Administration Board quarterly meeting to order at 1:00 PM on Thursday, January 10, 2002, at the CRAB Office in Olympia.

CHAIR'S REPORT

Approve Minutes of October 18-19, 2001 CRABoard Meeting

Vice-Chair Scheibe moved and Commissioner Carey seconded to approve the minutes of the October 18-19, 2001, CRABoard meeting. **Motion carried.**

DEPUTY DIRECTOR'S REPORT

New County Engineer/Public Works Directors

Mr. Olsen reviewed new appointments and the status of current vacancies in the following counties:

- ✓ Clallam County – Don McInnes, PE - Retired
- ✓ Whitman – Mark Storey, PE – appointed as County Engineer
- ✓ Klickitat – Larry Nicholas, PE – appointed as County Engineer
- ✓ King County – Paulette Norman, PE - appointed as acting County Engineer
- ✓ Okanogan – Jay Armstrong, PE - appointed as County Engineer/Public Works Director

*Present 1st day only

**Present 2nd day only

County Visits

Mr. Olsen reviewed his Skamania, Whitman, Stevens, Adams, and Spokane County visits completed since October 2001.

Mr. Weber reviewed his Okanogan County visit. He discussed the County Engineers'/Public Works Directors' orientations, one held in Moses Lake and the other in Silverdale. He noted that a third orientation is scheduled for January 29th in Vancouver.

State Auditor's Report

Mr. Olsen reviewed the following audits received since the October 2001 CRABoard Meeting:

1. Whitman County: SAO # 62542 issued on September 7, 2001 covering the period of January 1, 2000 to December 31, 2000. This audit did not detail any findings against the road department. It should be noted that the Auditor commended Public Works for particularly strong controls over federal funding.
2. Wahkiakum County: SAO #62843 issued December 14, 2001 covering the period of January 1, 1999 to December 31, 2000. This audit did not detail any findings against the road department.
3. Cowlitz County: SAO # 62890 issued on December 28, 2001 covering the period of January 1, 2000 to December 31, 2000. This audit did not detail any findings against the road department.
4. Island County: SAO # 62909 issued on December 28, 2001 covering the period of January 1, 2000 to December 31, 2000. This audit did not detail any findings against the road department.

DIRECTOR'S REPORT

Mr. Weber announced his appointment of Walt Olsen to the position of Acting Deputy Director. He informed the Board that he plans to fill the position permanently in two to three months and would not be recruiting outside the agency.

2001 CRAB Annual Report

Mr. Weber briefly reviewed the annual report noting that staff's focus in the 2001 report was to illustrate County successes.

2002 Meeting Schedule

Mr. Weber reviewed the 2002 CRABoard meeting schedule. He noted that the April CRABoard meeting had been moved from April 11-12 to April 18-19 because of a conflict with the WSAC Western District meeting. After discussion, Vice-Chair Scheibe moved and Mr. Stone seconded to approve moving the April 2002 meeting to April 18-19.

Motion carried.

Approval of Annual Certification Form

Mr. Weber reviewed the Annual Certification form. After discussion, Mr. Stone moved and Vice-Chair Scheibe seconded to approve the 2001 Annual Certification Form.

Motion carried.

BUDGET

Current Status

Ms. Tabler reviewed a three-page handout regarding CRAB's current budget status.

Supplemental Budget Update

Ms. Tabler reviewed a one-page handout regarding CRAB's supplemental budget request.

RAP BUSINESS

Program Status Report

Mr. Hart reviewed a one-page Rural Arterial Program status report. He noted that the oldest projects, San Juan's Cattle Point Road and Fisherman Bay Road are being designed by consultants and will be proposed to the public later this year.

The remaining 2003 – 2005 estimated revenue that has not been allocated to projects this biennium is \$3,868,597 as shown under RAP Obligations. This remaining amount will be allocated (if the CRABoard so resolves) to new and partially funded projects at the April 2002 meeting.

Regional Spending Limits for 2002

Mr. Hart reviewed RAP regional payouts for 2002 scheduled projects. He noted, that due to project delays the 2001 year-end RATA balance has not dropped as anticipated last year. Mr. Hart recommending a 2002 project payout limit somewhat higher than the estimated revenue for 2002. A couple of regions have a higher backlog of committed but unused RATA funding than others relative to their regional share. After discussion, Mr. Stone moved and Vice-Chair Scheibe seconded to approve the 2002 Scheduled Projects Payout Limits of \$22,593,705. Mr. Weber indicated, for the record, that the breakdown of payouts for each region is listed on page 5.B.1 of the CRABoard binder. **Motion carried.**

Regional Meetings

Mr. Hart summarized the fall 2001 Regional RAP meetings. Topics included: RAP Project Schedules; Digital Submittals; Structural Standards; Advance reimbursement for PE and environmental costs; and future WAC revisions.

Resolution 2002-001 – Amendment to Resolution 2001-018

Mr. Hart presented Resolution 2002-001 to amend Resolution 2001-018. Resolution 2001-108 incorrectly listed the August and September 2001 revenue at \$3,538,139 as well as the amounts set aside for administration at \$106,144. Actual revenue for that quarter amounted to \$3,089,899 and the correct administration set aside was therefore \$92,697. After discussion, Commissioner Carey moved and Mr. Casteel seconded to approve Resolution 2001-020 to apportion the \$3,089,899 actually credited to RATA in August and September 2001 to the regions by the established 2001/2003 biennium regional percentages after setting aside \$92,697 for administration. **Motion carried.**

Resolution 2002-002 – Apportionment RATA Revenue

Mr. Hart presented Resolution 2002-002 to apportion RATA funds to regions. The resolution approves that the accrued amount of \$5,354,712 now credited to RATA over the last quarter be apportioned to the regions by the established 2001/2003 biennium

regional percentages after setting \$160,641 (3%) aside for administration. After discussion, Vice-Chair Scheibe moved and Commissioner Burton seconded to approve Resolution 2002-002. **Motion carried.**

Scope Change

Mr. Hart reminded the Board of Kittitas County's request at the October 18th CRABoard meeting for a scope change to Project Number 1995-02 Parke Creek Road Phase 2. The county has conducted further analysis and revisions to their October 18, 2001, request such that, per letter dated January 8, 2002 additional funds will be sought to match the \$468,000 in RATA funds in order to improve the entire roadway from milepost 0.34 to milepost 2.61. The county will also construct a paved surface consisting of an ACP structural overlay on top of structural base materials as originally proposed in the project prospectus. Staff has reviewed the county's updated proposal dated January 9, 2002, and finds it is in keeping with the original prospectus. The county has expressed commitment to additional funding through loans up to \$1,000,000 to accomplish the necessary improvement. The county has also specified a 0.90 ft to 1.20 ft base and 0.25 ft to 0.30 ft ACP overlay will be constructed to provide needed structural support. Mr. Hart concluded that staff recommends full approval of the scope change request given the aforementioned assurances. After discussion, Mr. Stone moved and Vice-Chair Scheibe seconded to approve the requested scope change for Kittitas County's Parke Creek Road Phase 2 project given the aforementioned assurances reported by staff.

Motion carried.

Moratorium on Lapsing

Mr. Hart noted that WAC 136-167-040 states that the CRABoard may at any time place a moratorium on lapsing of projects that are delayed due to CRAB initiated rescheduling and establish a new lapsing date to fit the CRABoard's programming needs.

Chelan County Eagle Creek Road is due to lapse on January 11, 2002. In anticipation of CRAB's regional payout restrictions, which were adopted January 11, 2001, the NE Region engineers rescheduled their funded projects through the year 2007. Eagle Creek Road was subsequently re-scheduled for 2005 construction. Since current lapsing rules allow for only a two-year extension unless CRAB initiates the delay, extension of the Eagle Creek Road project will require a moratorium on the current lapsing date. Staff recommends that the CRABoard place a moratorium on January 11, 2002 lapsing of Chelan County's Eagle Creek Road, and set a new lapsing date of December 31, 2005. After discussion, Mr. Stone moved and Vice-Chair Scheibe seconded to place a moratorium on January 11, 2002 lapsing of Chelan County's Eagle Creek Road, and set the new lapsing date to December 31, 2005. **Motion carried.**

Columbia County Thorn Hollow Road is due to lapse on April 3, 2002. In anticipation of CRAB's regional payout restrictions, which were adopted January 11, 2001, the SE Region engineers rescheduled their funded projects through the year 2007. Thorn Hollow Road was subsequently re-scheduled for 2004 construction. Since current lapsing rules allow for only a two-year extension unless CRAB initiates the delay, extension of the Thorn Hollow Road project will require a moratorium on the current lapsing date. Staff recommends that the CRABoard place a moratorium on April 3, 2002 lapsing of Columbia County's Thorn Hollow Road, and set a new lapsing date of December 31, 2004. After discussion, Mr. Stone moved and Vice-Chair Scheibe seconded to place a moratorium on

April 3, 2002 lapsing of Columbia County's Thorn Hollow Road, and set the new lapsing date to December 31, 2004. **Motion carried.**

Yakima County Chaffee Road is due to lapse on April 3, 2002. In anticipation of CRAB's regional payout restrictions, which were adopted January 11, 2001, the SE Region engineers rescheduled their funded projects through the year 2007. Chaffee Road was subsequently re-scheduled for 2003 construction. Since current lapsing rules allow for only a two-year extension unless CRAB initiates the delay, extension of the Chaffee Road project will require a moratorium on the current lapsing date. Staff recommends that the CRABoard place a moratorium on April 3, 2002 lapsing of Yakima County's Chaffee Road, and set a new lapsing date of December 31, 2003. After discussion, Vice-Chair Scheibe moved and Mr. Stone seconded to place a moratorium on April 3, 2002 lapsing of Yakima County's Chaffee Road, and set the new lapsing date to December 31, 2003. **Motion carried.**

Call for New RAP Projects (2003-2005 Biennium)

Mr. Hart noted the new call for RAP projects would be sent out in late January 2002. The CRABoard has discussed revising the level and timing of funding these new projects because the over-obligation done in 1995 combined with the limit of yearly RATA payout has forced delay of projects to 2006 and later. The counties have also considered this issue in their regional discussions to include the four following options:

1. Obligate a biennium's revenue over a biennium, two years – Approximately 38,000,000 over 1 biennium.
2. Obligate 3 years of revenue over a four-year (two biennium period). – Approximately 57,000,000 over 2 biennia – allocate 19,000,000 first year, 19,000,000 third year and 19,000,000 the fourth year.
3. Obligate 2 years of revenue over a four-year (two biennium period). – Approximately 38,000,000 over 2 biennia.
4. Obligate 1 year of revenue over a two-year (one biennium period). – Approximately 19,000,000 over one biennium.

All of these, except the first option, reduce the rate of allocating RATA funds to projects.

Mr. Hart concluded that the majority of the regions preferred Option 1 to obligate a biennium's revenue of a biennium, two years. After discussion, Mr. Casteel moved and Mr. Stone seconded to approve option 1, to obligate a biennium's revenue over a biennium, two years – Approximately 38,000,000 over one biennium. **Motion carried.**

Request for Public Hearing in April 2002

Mr. Hart requested a public hearing be set at the April 2002 CRABoard meeting to adopt proposed changes to WACs regarding the SW Region. After discussion, Mr. Stone moved and Commissioner Burton seconded to set a public hearing for 2:00 PM on April 18, 2002 during the CRABoard's regular Board meeting. **Motion carried.**

CAPA DISTRIBUTION

Resolution 2002-003 – Implementation of a PMS for the 2002 CAPA Distribution

Mr. Weber presented Resolution 2002-003. The Resolution determines each county's County Arterial Preservation Account eligibility for calendar year 2002. He reviewed a

one-page county CAPP-PMS status report showing that all of the thirty-nine counties are in substantial compliance with WAC 136-70-030. After discussion, Commissioner Burton moved and Mr. Breshears seconded to approve Resolution 2002-003. **Motion carried.**

Certificate of Appreciation

Mr. Weber requested the Board's signatures on a Certificate of Appreciation for former CRABoard Member Council Member Robert Imhof. The certificate was circulated for signatures.

DAY LABOR ISSUES

Revision to RCW 36.77.065

Ms. Mudgett reviewed a proposed amendment to RCW 36.77.065 and the history of this proposed amendment. The RCW language, which has been in existence for a number of years, specifically lists the BARS codes in effect in 1975 that are to be included when determining a county's "Total Annual Construction Budget". With the recent revisions to the BARS Manual, some of these codes have been designated for different expenditure types. Therefore, the RCW language is now in error and needs to be revised. After discussion, Mr. Stone moved and Commissioner Carey seconded to approve sending the proposed revision to WSAC with CRABoard support of this amendment. **Motion carried**

Questions from Counties – Day Labor

Ms. Mudgett reviewed two questions from counties regarding RCW 36.77.065 Day Labor.

Question 1: Does CRAB have to compute day labor compliance for both budgeted expenditures and actual expenditures? Answer: YES – In order to assure compliance with statute, the computation must be made on both the budgeted amount and the actual amount expended. She reviewed RCW 36.77.065(4).

Question 2: Can projects be done in phases, with one phase being done by day labor and other phases being done by contract? Answer: NO – The final sentence of RCW 36.77.065(5) is very specific.

The Board discussed in detail the definition of the RCW's. They concluded, asking Mr. Weber to send a letter to Mr. Dietrich, CRAB's Legal Counsel requesting an informal opinion on the definition of the two rules and respond to them at the April CRABoard meeting.

County Annual Construction Budget and Expenditure 3-Year Rolling Average

Ms. Mudgett reviewed a one-page summary of the last six years of the counties' annual construction budgets and expenditures, upon which day labor amounts are based. The summary indicates that it is probably not in the counties' best interest to try to revise the day labor statute to allow computations to be based on a rolling three-year average as opposed to annual numbers. She reviewed RCW 36.77.065(4), noting that the statute gives the Board the authority to determine what is "reasonable" when it comes to exceeding statutory day labor limits. After discussion, Mr. Weber stated that staff would draft a proposed WAC revision to address the issue of reasonableness and present it to the Board at the April meeting.

Chair Snead recessed at 3:45 P.M. The CRABoard meeting will resume January 11, 2002, at 9:00 A.M.

The CRABoard meeting resumed Friday at 9:00 A.M.

ISSUES

Maintenance Management

Mr. Pearson reviewed his county visits since the last CRABoard. He gave an update on his progress in developing a maintenance management program for the counties. Mr. Weber noted that House Bill 2304, to be considered for adoption by the Legislature this session, contained language that would require CRAB to develop a maintenance management Standard of Good Practice for the 39 counties.

RATA Payback History

To follow-up the CRABoard's request regarding the history of RATA paybacks, Mr. Hart provided the following information.

He reviewed WAC 136-167-030 adopted September 1994 – Termination of approved project after RATA reimbursement. In the past five requests for waiver of payback have been granted to Asotin (1 payback), Okanogan (3 paybacks) and Skagit (1 payback) counties, and counties have paid back expended RATA funds without seeking a waiver.

Mr. Hart concluded that based on the language of WAC 136-167-030, charges for a withdrawn project should be paid back to the CRABoard unless some physical improvement was made to the project, and the county requests pay back of those costs be waived. In cases where physical improvement has been made within the projects, all costs, including design and right of way, directly related to the portions of the project that were improved should be eligible for a waiver of payback of RATA funds used to accomplish the improvements.

After discussion, the Board determined that generally, payback of all project related costs, including design, right of way and construction are eligible to be waived by the CRABoard, and that the CRABoard will continue to consider each waiver request on a case-by-case basis. The CRABoard directed staff to develop a waiver of payback request form for counties to use.

Transportation Executive Information Service (TEIS)

Mr. Hillesland introduced the TEIS system on the Internet. He discussed the status of integration of CRAB databases and reviewed a listing of CRAB's currently funded projects, which will be included into this system.

Kelsey Gray – Survey

Mr. Weber reviewed two draft survey's developed by Dr. Kelsey Gray of Washington State University. One survey will be distributed to County Policy makers and the other to CRAB's client counties. The survey will help CRAB in determining how to better serve their clients.

CRABoard Agenda (on-line)

Mr. Hillesland presented two versions of an on-line agenda for Board members to review upcoming CRABoard agenda items. The Board supported the effort and looked forward to seeing the one page "familiar" version prior to the next CRABoard meeting.

Traffic Records

Mr. Hillesland and Mr. Whitcher reviewed the history of WSP's road safety database (CRASH system), which had not been successful in the past. WSDOT has now assumed the responsibility of this database, now called CLAS. Mr. Whitcher is working with WSDOT to process the information gathered into the database and eventually into the CRIS system.

Infrastructure Coalition

Ms. Mudgett gave a brief summary of the Infrastructure Coalition and its members and reviewed a handout containing Coalition's 2002 Legislative Priorities. Recognizing the economic stimulus that infrastructure investments provide, the Coalition urges the state to address infrastructure needs in transportation, water, sewer, stormwater, and other capital areas through various measures.

Freight & Goods

Mr. Weber reviewed the status of the Freight & Goods Study.

Safety Management

Mr. Olsen and Ms. Mudgett reviewed the history and current status of the Safety Management Committee. Ms. Mudgett indicated that CRAB would like to revise its approach to the issue by providing model policies. Counties could use the policies to address snow and ice policy and traffic accident investigations rather than continue to develop new WAC's. The next Committee meeting is scheduled for January 28, and the revised approach will be discussed then.

Mobile Bridge

Mr. Hillesland described the progress on a new system called "Mobile Bridge" and how CRAB staff will work to ensure that the new system will work for our counties.

Project Recognition

Mr. Hillesland noted that the Rural Arterial Program, and perhaps other programs administered by CRAB, has inherent opportunities for positive recognition by the public, county staff, legislators and others. He mentioned that he had recently met with Mr. Olsen and Mr. Hart to review how CRAB might assist the counties in their efforts to inform, educate and advise citizens and others on this effective funding program. He concluded asking for the Board's comments in pursuing a project recognition program. The Board discussed the benefits of a recognition program and asked staff to present ideas at the WSAC Western and Eastern district meetings.

Mr. Weber asked for issues to discuss that were not on the agenda:

Skamania County Timber

Mr. Whitcher reviewed a Skamania law imposed in 1982 concerning the Motor Vehicle Fund and the Federal Forest Fund Receipt, and the effects to the Gas Tax Allocation Factors. Mr. Weber reviewed a letter sent to the Washington State Treasurer.

Eastern Washington Office

Mr. Weber reviewed the status of and his vision of the future of this position.

Committee on Terrorism

Mr. Olsen reviewed his participation on the Emergency Management Committee on Terrorism. He stated that he is on one of the working sub-committees - dealing with infrastructure.

Mr. Stone moved and Commissioner Carey seconded to adjourn. Motion carried.

Adjourn at 11:00 A.M.

Chairman

ATTEST: _____